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16 *Attorneys for Plaintiff Applications in*
17 *Internet Time LLC*

18 UNITED STATES DISTRICT COURT

19 DISTRICT OF NEVADA

20
21 APPLICATIONS IN INTERNET TIME, LLC,

22 Plaintiff,

23 v.

24 SALESFORCE.COM, INC.,

25 Defendant.
26
27

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| COUNSEL/PARTIES OF RECORD | |
| MAY 18 2015 | |
| CLERK US DISTRICT COURT | |
| DISTRICT OF NEVADA | |
| BY _____ | DEPUTY |

Civil Action No.: 3:13-CV-00628-RCJ-VPC

**JOINT MOTION TO AMEND CASE
SCHEDULE**

28 The parties, through their attorneys of record, hereby submit the following Joint Motion to

1 Amend the Case Schedule pursuant to Local Rule 16.1-18.

2 **1. Current Status of the Case.**

3 On August 1st and August 4th, 2014, Salesforce petitioned for review of the claims of the
4 asserted '482 and '111 patents as covered business methods by the Patent Trial and Appeal Board
5 ("PTAB"). On August 25, 2014, the Court stayed the case pending final resolution of the
6 petitions. Dkt. 56. On February 2, 2015, a panel of the Patent Trial and Appeal Board issued
7 decisions declining to institute review of the claims of the '482 and '111 patents on the ground
8 that the challenged claims are not directed to covered business methods and would therefore not
9 be subject to review. On February 17, 2015, the parties submitted a Joint Status Report in which
10 plaintiff Applications in Internet Time, LLC requested that the Court lift the stay, and defendant
11 Salesforce.com, Inc. requested that the stay continue pending resolution of its anticipated request
12 for rehearing - which request for rehearing was filed on March 4, 2015. *See* Dkt. 57. On April
13 27, 2015, the Court lifted the stay and Ordered the parties to "proceed in this case pursuant to the
14 Local Rules." Dkt. 58.

15 **2. Proposed schedule.**

16 On May 1, 2015, the parties met and conferred and agreed to submit this Joint Motion to
17 Amend the Case Schedule with proposed schedule below.

18 **a. A deadline for the completion of discovery.**

19 As set forth in the parties' Discovery Plan and Scheduling Order (Dkt. No. 36) filed on
20 March 13, 2014, special scheduling review was requested and adopted by the Court (Dkt. No.
21 42). Pursuant to that Order, all discovery shall be completed sixty (60) days after rebuttal expert
22 disclosures are served.

23 **b. A deadline for amending the pleadings and adding parties**

24 All motions to join other parties, and to amend or supplement the pleadings, shall be filed
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on or before September 8, 2015, provided that motions for leave to amend the pleadings to plead defenses such as inequitable conduct based on discovery shall be filed on or before December 8, 2015.

3. Disclosures and Briefing Required by the Patent Local Rules:

| Event | Deadline |
|---|---------------|
| Plaintiff to serve initial disclosure of asserted claims and infringement contentions pursuant to Local Rule 16.1-6. | Served |
| Plaintiff to produce documents accompanying initial disclosure of asserted claims and infringement contentions pursuant to Local Rule 16.1-7. | Served |
| Defendant to serve initial disclosure of noninfringement, invalidity and unenforceability contentions pursuant to Local Rule 16.1-8 | Served |
| Defendant to produce documents accompanying initial disclosure of invalidity contentions pursuant to Local Rule 16.1-9. | Served |
| Plaintiff to serve response to initial noninfringement, invalidity and unenforceability contentions pursuant to Local Rule 16.1-10. | May 22, 2015 |
| Pre-Claim Construction Settlement Conference pursuant to Local Rule 16.1-19(a) | TBD by Court |
| Exchange of proposed terms for claim construction pursuant to Local Rule 16.1-13. | June 13, 2015 |
| Parties to meet and confer regarding claim terms pursuant to Local Rule 16.1-13. | June 29, 2015 |
| Exchange of preliminary claim constructions and extrinsic evidence pursuant to Local Rule 16.1-14. | July 16, 2015 |

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|----|---|--|
| 1 | Joint Claim Construction and Prehearing Statement to be submitted pursuant to Local Rule 16.1-15. | August 14, 2015 |
| 2 | | |
| 3 | Plaintiff to submit opening claim construction brief pursuant to Local Rule 16.1-16. | September 18, 2015 |
| 4 | | |
| 5 | Defendant to submit responsive claim construction brief pursuant to Local Rule 16.1-16. | October 16, 2015 |
| 6 | | |
| 7 | Plaintiff to submit reply claim construction brief pursuant to Local Rule 16.1-16. | October 30, 2015 |
| 8 | <i>Markman</i> Hearing | TBD by Court |
| 9 | Parties to meet and confer in advance of Post-Claim Construction Order Scheduling Conference | 7 days following issuance of claim construction order |
| 10 | | |
| 11 | Post-Claim Construction Order Scheduling Conference | 21 Days following issuance of claim construction order (or earliest available hearing date thereafter) |
| 12 | | |
| 13 | Post-Claim Construction Order Settlement Conference pursuant to Local Rule 16.1-19(b) | TBD by Court |
| 14 | Pretrial Settlement Conference pursuant to Local Rule LR 16.1-19(c) | TBD by Court |

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16
17 DATED: 5/15/15
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Attorneys for Defendant

IT IS SO ORDERED

Valerie O. Felt
U.S. MAGISTRATE JUDGE

DATED: May 18, 2015